

CIVIL COVER SHEET

The civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

(a) PLAINTIFFS

DEFENDANTS

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

FILED: JUNE 30, 2008

(c) Attorney's (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

08CV3734

JUDGE ZAGEL

MAGISTRATE JUDGE SCHENKIER

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

(For Diversity Cases Only)

- | | PTF | DEF | | PTF | DEF |
|---|-----|-----|--|-----|-----|
| Citizen of This State | 1 | 1 | Incorporated <i>or</i> Principal Place of Business In This State | 4 | 4 |
| Citizen of Another State | 2 | 2 | Incorporated <i>and</i> Principal Place of Business In Another State | 5 | 5 |
| Citizen or Subject of a Foreign Country | 3 | 3 | Foreign Nation | 6 | 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY	610 Agriculture	422 Appeal 28 USC 158	400 State Reapportionment
120 Marine	310 Airplane	362 Personal Injury—	620 Other Food & Drug	423 Withdrawal	410 Antitrust
130 Miller Act	315 Airplane Product Liability	Med. Malpractice	625 Drug Related Seizure of Property 21 USC 881	28 USC 157	430 Banks and Banking
140 Negotiable Instrument	320 Assault, Libel & Slander	365 Personal Injury — Product Liability	630 Liquor Laws	PROPERTY RIGHTS	450 Commerce/ICC Rates/etc.
150 Recovery of Overpayment & Enforcement of Judgment	330 Federal Employers' Liability	368 Asbestos Personal Injury Product Liability	640 R.R. & Truck		460 Deportation
151 Medicare Act	340 Marine	PERSONAL PROPERTY	650 Airline Regs.		470 Racketeer Influenced and Corrupt Organizations
152 Recovery of Defaulted Student Loans (excl. vet.)	345 Marine Product Liability	370 Other Fraud	660 Occupational Safety/Health	SOCIAL SECURITY	480 Consumer Credit
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	371 Truth in Lending	690 Other		490 Cable/Satellite TV
160 Stockholders' Suits	355 Motor Vehicle Product Liability	380 Other Personal Property Damage	LABOR		810 Selective Service
190 Other Contract	360 Other Personal Inj.	385 Property Damage Product Liability	710 Fair Labor Standards Act	FEDERAL TAX SUITS	850 Security/Commodity/Exch. 12 USC 3410
195 Contract Product Liability			720 Labor/Mgmt. Relations		891 Agricultural Acts
196 Franchise			730 Labor/Mgmt. Reporting & Disclosure Act		892 Economic Stabilization Act
			740 Railway Labor Act		893 Environmental Matters
			790 Other Labor Litigation		894 Energy Allocation Act
			791 Empl. Ret. Inc. Security Act		895 Freedom of Information Act
					900 Appeal of Fee Determination Under Equal Access to Justice
					950 Constitutionality of State Statutes
					890 Other Statutory Actions

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION (Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.)

VII. PREVIOUS BANKRUPTCY MATTERS (For nature of suit 422 and 423, enter the case number and judge for any associated bankruptcy matter perviously adjudicated by a judge of this Court. Use a separate attachment if necessary)

VIII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

IX. This case

is not a refile of a previously dismissed action.

is a refile of case number _____, previously dismissed by Judge _____

DATE

SIGNATURE OF ATTORNEY OF RECORD